

PATENT COOPERATION TREATY

PCT

INTERNATIONAL SEARCH REPORT

(PCT Article 18 and Rules 43 and 44)

Applicant's or agent's file reference MXL/PB60607	FOR FURTHER ACTION see Form PCT/ISA/220 as well as, where applicable, item 5 below.	
International application No. PCT/GB2004/005343	International filing date (day/month/year) 20/12/2004	(Earliest) Priority Date (day/month/year) 22/12/2003
Applicant GLAXO GROUP LIMITED		

This International Search Report has been prepared by this International Searching Authority and is transmitted to the applicant according to Article 18. A copy is being transmitted to the International Bureau.

This International Search Report consists of a total of 7 sheets.

☒ It is also accompanied by a copy of each prior art document cited in this report.

1. Basis of the report

- a. With regard to the language, the international search was carried out on the basis of the international application in the language in which it was filed, unless otherwise indicated under this item.

☐ The international search was carried out on the basis of a translation of the international application furnished to this Authority (Rule 23.1(b)).

- b. ☒ With regard to any nucleotide and/or amino acid sequence disclosed in the international application, see Box No. I.

2. ☒ Certain claims were found unsearchable (See Box II).

3. ☐ Unity of invention is lacking (see Box III).

4. With regard to the title,

☐ the text is approved as submitted by the applicant.

☒ the text has been established by this Authority to read as follows:

NOGOA ANTIBODIES FOR THE TREATMENT OF ALZHEIMER DISEASE

5. With regard to the abstract,

☒ the text is approved as submitted by the applicant.

☐ the text has been established, according to Rule 38.2(b), by this Authority as it appears in Box No. IV. The applicant may, within one month from the date of mailing of this international search report, submit comments to this Authority.

6. With regard to the drawings,

- a. the figure of the drawings to be published with the abstract is Figure No. _____

☐ as suggested by the applicant.

☐ as selected by this Authority, because the applicant failed to suggest a figure.

☐ as selected by this Authority, because this figure better characterizes the invention.

- b. ☒ none of the figures is to be published with the abstract.

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Box No. I Nucleotide and/or amino acid sequence(s) (Continuation of item 1.b of the first sheet)

1. With regard to any nucleotide and/or amino acid sequence disclosed in the international application and necessary to the claimed invention, the international search was carried out on the basis of:
 - a. type of material
 - ☒ a sequence listing
 - ☐ table(s) related to the sequence listing
 - b. format of material
 - ☒ in written format
 - ☒ in computer readable form
 - c. time of filing/furnishing
 - ☐ contained in the international application as filed
 - ☐ filed together with the international application in computer readable form
 - ☒ furnished subsequently to this Authority for the purpose of search
2. ☒ In addition, in the case that more than one version or copy of a sequence listing and/or table relating thereto has been filed or furnished, the required statements that the information in the subsequent or additional copies is identical to that in the application as filed or does not go beyond the application as filed, as appropriate, were furnished.
3. Additional comments:

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A. CLASSIFICATION OF SUBJECT MATTER

IPC 7 C07K16/22 A61P25/28 C12N05/08

According to International Patent Classification (IPC) or to both national classification and IPC

B. FIELDS SEARCHED

Minimum documentation searched (classification system followed by classification symbols)

IPC 7 C07K C12N

Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched

Electronic data base consulted during the international search (name of data base and, where practical, search terms used)

EPO-Internal, BIOSIS, WPI Data, PAJ

C. DOCUMENTS CONSIDERED TO BE RELEVANT

Category *	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
X	WO 03/088926 A (PHARMACIA & UPJOHN COMPANY; YAN, RIQIANG; LU, YIFENG) 30 October 2003 (2003-10-30) cited in the application page 4, line 5 - page 5, line 8 page 17, lines 15-18 claims 43-45	1-6
X	WO 02/058323 A (GLAXO GROUP LIMITED; SMITHKLINE BEECHAM PLC; BLACKSTOCK, WALTER, PHILI) 25 July 2002 (2002-07-25) cited in the application page 2, lines 8-27 page 14, lines 14-26 page 15, lines 28-31 page 16, lines 6-18 examples 5,6 ----- -/--	1-6

☒ Further documents are listed in the continuation of box C.☒ Patent family members are listed in annex.

* Special categories of cited documents:

- *A* document defining the general state of the art which is not considered to be of particular relevance
- *E* earlier document but published on or after the international filing date
- *L* document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified)
- *O* document referring to an oral disclosure, use, exhibition or other means
- *P* document published prior to the international filing date but later than the priority date claimed

T later document published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention

X document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone

Y document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art.

G document member of the same patent family

Date of the actual completion of the international search

3 June 2005

Date of mailing of the international search report

10/06/2005

Name and mailing address of the ISA

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Noë, V

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C.(Continuation) DOCUMENTS CONSIDERED TO BE RELEVANT

Category *	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
X	WO 00/31235 A (SCHWAB, MARTIN, E; CHEN, MAIO, S) 2 June 2000 (2000-06-02) page 4, lines 12-21 page 11, lines 3,4 page 11, line 33 page 28, line 1 - page 29, line 32 page 42, line 20 - page 43, line 25 page 59, lines 1-10 -----	7,10, 12-14, 18,19
X	STRITTMATTER S M: "MODULATION OF AXONAL REGENERATION IN NEURODEGENERATIVE DISEASE FOCUS ON NOGO" JOURNAL OF MOLECULAR NEUROSCIENCE, BIRKHAUSER, CAMBRIDGE, MA, US, vol. 19, no. 1/2, August 2002 (2002-08), pages 117-121, XP009029170 ISSN: 0895-8696 the whole document -----	7,10-13, 19
A	US 2003/113891 A1 (BLATT LAWRENCE ET AL) 19 June 2003 (2003-06-19) the whole document -----	
P,X	WO 2004/052932 A (NOVARTIS AG; NOVARTIS PHARMA GMBH; UNIVERSITAET ZUERICH; BARSKE, CARME) 24 June 2004 (2004-06-24) abstract page 18, last paragraph examples 3,4 -----	7,10, 12-14, 18,19
P,X	WO 2004/093893 A (STRITTMATTER, STEPHEN, M; LEE, DANIEL, H., S; LI, WEIWEI) 4 November 2004 (2004-11-04) cited in the application paragraphs '0004!', '0005!', '0010!', '0014!', '0021!', '0029!', '0069!', '0070! -----	1-19
E	WO 2005/028508 A (NOVARTIS AG; NOVARTIS PHARMA GMBH; UNIVERSITY OF ZURICH; BARSKE, CARME) 31 March 2005 (2005-03-31) abstract page 2, last paragraph page 20, last paragraph -----	7-13,18, 19

FURTHER INFORMATION CONTINUED FROM PCT/ISA/ 210

Continuation of Box II.1

Although claims 1-6 (insofar directed to in vivo methods) and 19 are directed to a method of treatment of the human/animal body, the search has been carried out and based on the alleged effects of the compound/composition.

Continuation of Box II.2

Present claims 1-5,7-12 relate to a methods and uses of a product defined by reference to a desirable characteristic or property, namely a Nogo antagonist . The claims cover methods and uses of all products having this characteristic or property, whereas the application provides support within the meaning of Article 6 PCT and disclosure within the meaning of Article 5 PCT for only a very limited number of such products. In the present case, the claims so lack support, and the application so lacks disclosure, that a meaningful search over the whole of the claimed scope is impossible. Independent of the above reasoning, the claims also lack clarity (Article 6 PCT). An attempt is made to define the product by reference to a result to be achieved. Again, this lack of clarity in the present case is such as to render a meaningful search over the whole of the claimed scope impossible. Consequently, the search has been carried out for those parts of the claims which appear to be clear, supported and disclosed, namely those parts relating to methods or uses of function blocking monoclonal NogoA antibodies (see examples).

The applicant's attention is drawn to the fact that claims relating to inventions in respect of which no international search report has been established need not be the subject of an international preliminary examination (Rule 66.1(e) PCT). The applicant is advised that the EPO policy when acting as an International Preliminary Examining Authority is normally not to carry out a preliminary examination on matter which has not been searched. This is the case irrespective of whether or not the claims are amended following receipt of the search report or during any Chapter II procedure. If the application proceeds into the regional phase before the EPO, the applicant is reminded that a search may be carried out during examination before the EPO (see EPO Guideline C-VI, 8.5), should the problems which led to the Article 17(2) declaration be overcome.

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Box II Observations where certain claims were found unsearchable (Continuation of item 2 of first sheet)

This International Search Report has not been established in respect of certain claims under Article 17(2)(a) for the following reasons:

1. ☒ Claims Nos.:
because they relate to subject matter not required to be searched by this Authority, namely:

Although claims 1-6 (insofar directed to in vivo methods) and 19 are directed to a method of treatment of the human/animal body, the search has been carried out and based on the alleged effects of the compound/composition.
2. ☒ Claims Nos.:
because they relate to parts of the International Application that do not comply with the prescribed requirements to such an extent that no meaningful International Search can be carried out, specifically:

see FURTHER INFORMATION sheet PCT/ISA/210
3. ☐ Claims Nos.:
because they are dependent claims and are not drafted in accordance with the second and third sentences of Rule 6.4(a).

Box III Observations where unity of invention is lacking (Continuation of item 3 of first sheet)

This International Searching Authority found multiple inventions in this international application, as follows:

1. ☐ As all required additional search fees were timely paid by the applicant, this International Search Report covers all searchable claims.
2. ☐ As all searchable claims could be searched without effort justifying an additional fee, this Authority did not invite payment of any additional fee.
3. ☐ As only some of the required additional search fees were timely paid by the applicant, this International Search Report covers only those claims for which fees were paid, specifically claims Nos.:
4. ☐ No required additional search fees were timely paid by the applicant. Consequently, this International Search Report is restricted to the invention first mentioned in the claims; it is covered by claims Nos.:

Remark on Protest

- ☐ The additional search fees were accompanied by the applicant's protest.
- ☐ No protest accompanied the payment of additional search fees.

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Information on patent family members

International Application No

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Patent document cited in search report		Publication date	Patent family member(s)	Publication date
WO 03088926	A	30-10-2003	AU 2003223330 A1 CA 2482589 A1 WO 03088926 A2 US 2004063161 A1	03-11-2003 30-10-2003 30-10-2003 01-04-2004
WO 02058323	A	25-07-2002	EP 1352084 A2 WO 02058323 A2 JP 2004531697 T US 2004146953 A1	15-10-2003 25-07-2002 14-10-2004 29-07-2004
WO 0031235	A	02-06-2000	AU 774367 B2 AU 1469200 A BR 9915137 A CA 2350395 A1 CN 1354755 A CZ 20011608 A3 EP 1124846 A2 HU 0301829 A2 JP 2003531566 T MX PA01004598 A NO 20012223 A NZ 511683 A PL 362990 A1 SK 6222001 A3 WO 0031235 A2 ZA 200103714 A	24-06-2004 13-06-2000 08-06-2004 02-06-2000 19-06-2002 17-10-2001 22-08-2001 28-08-2003 28-10-2003 24-04-2002 02-07-2001 25-06-2004 15-11-2004 03-12-2001 02-06-2000 25-06-2004
US 2003113891	A1	19-06-2003	US 2003060611 A1 EP 1386004 A2 WO 02081628 A2 US 2003203870 A1 AU 3811101 A CA 2398282 A1 EP 1265995 A2 JP 2003525037 T WO 0159103 A2	27-03-2003 04-02-2004 17-10-2002 30-10-2003 20-08-2001 16-08-2001 18-12-2002 26-08-2003 16-08-2001
WO 2004052932	A	24-06-2004	AU 2003289998 A1 WO 2004052932 A2	30-06-2004 24-06-2004
WO 2004093893	A	04-11-2004	WO 2004093893 A2	04-11-2004
WO 2005028508	A	31-03-2005	WO 2005028508 A2	31-03-2005